

High Representative disappointed by Lozancic- letter

The High Representative, Wolfgang Petritsch, is disappointed by the groundless refusal of the outgoing Speaker of the Federation House of Peoples, Niko Lozancic, to convene the constitutive session of the Federation House of Peoples.

In an open letter to the High Representative and the Head of Mission of the OSCE, Robert Barry, Mr Lozancic argues that the Federation House of Peoples cannot be constituted without all its delegates present. He further asserts that constituting the House of Peoples in this way would be unconstitutional.

Regrettably one party, namely the HDZ, has decided to ignore the constitutional duty which those who are elected have to bear, of representing those who elected them. This can only be considered a deliberate attempt to make the constitution unworkable. Mr Lozanic therefore fails to heed the fact that it is the unconstitutional behaviour of others which requires the convening of a less than full House of Peoples. In any event, although the Federation constitution provides for a specific number of seats for Bosniaks, Croats and Others respectively, it does not contain any provision making the convening of the House unconstitutional, should certain seats not be taken up.

Common sense, basic democratic tenets and legal principle compel the conclusion that any individual or group of individuals who choose to absent themselves from the institutions they were elected for, and thus deliberately flout basic democratic principles and neglect their solemn duty to those who elected them, cannot block the workings of a constitution. One cannot stand by and allow those who fail to

discharge the constitutional duties they were elected to perform, and thereby demonstrate their contempt for the electorate, disrupt the institutions of the country.

Accordingly the House of Peoples should be convened. It is up to the elected members of the HDZ to take up their seats, which remain at all times open to them. They should do what their electorate expects of them – namely to represent them in Parliament and not indulge in unconstitutional antics.